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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,185	04/02/2004	Hiroko Abe	12732-222001 / US7082	7858
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FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER ROY, SIKHA	
			ART UNIT 2879	PAPER NUMBER
			NOTIFICATION DATE 09/30/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary	Application No. 10/816,185	Applicant(s) ABE ET AL.	
	Examiner Sikha Roy	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 21-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/8/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Amendment, filed on July 8, 2008 has been entered and acknowledged by the Examiner.

Claims 1-40 are pending of which claims 21-40 have been withdrawn.

Specification

The title of the invention submitted December 14, 2006 is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested:

--AN ELECTRONIC APPARATUS INCLUDING A LIGHT-EMITTING ELEMENT
SANDWICHED BY POLARIZERS ON TWO SIDES---

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 6, 10, 11, 15, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,689,492 to Yamazaki et al. and further in view of U.S. Patent 6,762,436 to Huang et al. and U.S. Patent Application Publication 2001/0048405 to Salley.

Regarding claim 1 Yamazaki discloses (Fig. 1 col. 8 lines 1-30, col. 9 lines 10-30) an electronic apparatus comprising a transistor TFT 202 over a substrate, a color filter 42 over the TFT, an insulating film 44 over the color filter, a light emitting element over the insulating film and electrically connected to the transistor. Yamazaki further discloses the light obtained from the light emitting element is white (Figs. 20A, 20B col. 33 lines 4, 5, 13, 14).

Yamazaki is silent about two polarizers having different polarization angles sandwiching the light emitting element and the filter.

Huang in same field of endeavor discloses (Fig. 2 column 3 lines 29-47) a transparent double side display OLED made from transparent anode and cathode structures transmitting light from both sides.

Therefore it would have been obvious to modify the cathode and the anode of Yamazaki transmitting light as disclosed by Huang for providing a dual display.

Yamazaki and Huang do not exemplify two polarizers sandwiching the light-emitting element and the color filter, both of the polarizers transmitting light obtained from the light emitting element.

Salley in relevant field of illuminated viewing assembly discloses (Figs. 2A, 2B, para [0022], [0065], [0069], [0070]) a transparent organic light emitting device 12 comprising light emitting source 22 sandwiched by two polarizers, first polarizer 40 on a first side and a second polarizer 42 on the second side transmitting light obtained from the light emitting element 22, wherein the deflection angle of the two polarizers is different (surface 44 of the first polarizing filter 40 having a first orientation and surface

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46 of the second polarizing filter 42 having second orientation perpendicular to the first). Salley discloses this configuration provides a display with improved contrast and overall visibility of the viewing assembly.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to include two polarizers transmitting light obtained from the light emitting element and having different deflection angles sandwiching the light emitting element and the color filter of Yamazaki and Huang as suggested by Salley for providing a display with improved contrast and overall visibility of the viewing assembly.

Regarding claim 5 Yamazaki discloses (Fig. 20A) the electronic apparatus is a portable phone.

Regarding claim 6 Yamazaki, Huang and Salley disclose the claimed invention except two color filters on two sides sandwiching the light emitting device. Yamazaki teaches the color filter can be red, green or blue filter to permit only a desired color to pass and be seen by the viewer. It is noted that this device of Yamazaki, Huang and Salley emits light from two sides and hence it would have been obvious to include a color filter on each side of the light emitting element and hence two color filters sandwiching the light emitting element so that any desired color can be seen by the viewer.

Claim 10 essentially recites the same limitation of claim 5 and hence is rejected for the same reason.

Regarding claim 11 Yamazaki, Huang and Salley disclose all the limitations same as of claim 1. Yamazaki further teaches (Embodiment 11 Fig. 21A col. 28 lines 40-60) the electronic apparatus comprising a first transistor 4704 for determining a current value supplied to the light emitting element 4708 and a second transistor 4706 for selecting emission or non-emission of the light emitting element, wherein the first transistor, second transistor are connected in series between a first power supply and the light emitting element. In Fig. 21A Yamazaki discloses the gate of the first transistor is connected to a second power supply and the first and second transistors have the same polarity (having the same structure).

Claim 16 essentially recites the limitations of claim 11 and claim 6 and hence is rejected for the same reasons (see rejection of claims 6 and 11).

Claims 15 and 20 essentially recite the same limitation of claim 5 and hence are rejected for the same reason.

Claims 2-4, 7-9, 12-14 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,689,492 to Yamazaki et al., U.S. Patent 6,762,436 to Huang et al. and U.S. Patent Application Publication 2001/0048405 to Salley and further in view of U.S. Patent Application Publication 2004/0151829 to Boroson et al.

Yamazaki discloses the light emitting element exhibits blue emission. Yamazaki, Huang and Salley are silent about the light emitting element comprising a first light emitting layer which exhibits blue emission and a second light emitting layer dispersed with a phosphorescent material with a concentration of 10 wt % or more in a host material, and exhibiting both phosphorescence from the phosphorescent material and emission from the phosphorescent material in the excimer state.

Regarding claim 2 Boroson in same field of endeavor discloses (Fig. 2B, para [0041], [0093], [00136], [00137]) a light emitting element comprising a cathode 50 and an anode 40 including an organic light emitting material in between and a color filter 52 formed over the second electrode 50 and wherein the light emitting element emits white light. Boroson further teaches (para [0059], [0071]) the first light emitting layer 44 (hole transporting layer) is formed of the same material 4, 4'-Bis [N- (1-Naphthalenyl)-N-phenylamino] biphenyl (α -NPD) as the first light emitting layer 503 of the instant application (See [055] of the instant application). Therefore, the layer 44 which, constitutes a similar material and structure as that of the first light emitting layer, exhibits blue emission with maximum intensity in a wavelength region of at least 400 and at most 500 nm. Further, Boroson teaches (para [0093] and [0110]) the phosphorescent material of the second light emitting layer 46 is an organic metal complex with platinum as a central metal (last chemical structure L48 in para [0110]) and the phosphorescent material is also doped with 10 wt.% to the host material. Applicant teaches (page 18, section [0058] of instant application) if the phosphorescent material is an organic metal complex with platinum as a central metal and doped with

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10wt% to the host material, this phosphorescent material will generate phosphorescent emission and excimer emission simultaneously and has an emission spectrum with at least two intensity peaks in a wavelength region of at least 500 nm and at most 700 nm. As such, the second light-emitting layer 46 can perform the claimed function.

Borson discloses this configuration provides improved performance from each color emission in a color OLED device and can be manufactured on a large scale.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light emitting layer of Yamazaki to the light emitting layer comprising first light emitting layer which exhibits blue emission and a second light emitting layer dispersed with a phosphorescent material with a concentration of 10 wt % or more in a host material, and exhibiting both phosphorescence from the phosphorescent material and emission from the phosphorescent material in the excimer state as disclosed by Borson for providing improved performance of the OLED and easier manufacturing on a large scale.

Regarding claims 3 and 4 Borson discloses the first light emitting layer exhibits blue emission with maximum intensity in a wavelength region of at least 400 and at most 500 nm and the phosphorescent material generates phosphorescent emission and excimer emission simultaneously and has an emission spectrum with at least two intensity peaks in a wavelength region of at least 500 nm and at most 700 nm.

Claims 7-9 essentially recite the same limitations as of claims 2-4 and hence are rejected for the same reasons (see rejection of claims 2-4).

Claims 12-14 essentially recite the same limitations as of claims 2-4 and hence are rejected for the same reasons (see rejection of claims 2-4).

Claims 17-19 essentially recite the same limitations as of claims 2-4 and hence are rejected for the same reasons (see rejection of claims 2-4).

Response to Arguments

Applicant's arguments with respect to claim1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sikha Roy/
Primary Examiner, Art Unit 2879